IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Writ Petition No. 170 (M/B) of 2004

Prem Singh Kholiyal
S/o Sri Laxman Singh
R/o Village Bhawanipur
P.O. Bhumiyadhar
District Nainital & others … Petitioner

Versus

The State of Uttaranchal through the
Secretary, Public Works Department
& others … Respondents

Hon'ble M.M. Ghildiyal J.
Hon'ble Rajesh Tandon J.

Heard Sri D.S. Patni learned counsel for the petitioner and learned standing counsel.

The petitioner has prayed that he may be permitted to implead the Public Works Department as respondent. Permission granted.

Let the necessary impleadment be incorporated during the course of day.

Rule.

Respondents waive service.

In view of the judgment of the Allahabad High Court in case of Tejveer Singh Vs. State of U.P. reported in 1997 (29) ALR 687 the petitioner was liable to pay fixed stamp duty at the rate of Rs. 100/- (Rupee one hundred only) and not the stamp duty calculated on ad valorem basis.

Accordingly, writ petition is allowed. No order as to costs.

(Hon'ble M.M. Ghildiyal J.) (Hon'ble Rajesh Tandon J.)

03.03.2004
ASWAL